

Notice of Allowability

Application No.

09/620,171

Examiner

Bharat N Barot

Applicant(s)

FRISKEL, JAMES

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 07/07/2004.
2. ☒ The allowed claim(s) is/are 1-3, 5-11, 13-21, and 23-28 re-numbered as 1-25.
3. ☒ The drawings filed on 19 July 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Bharat Barot

**BHARAT BAROT
PRIMARY EXAMINER**

(703)305-4092

Reasons For Allowance

1. The following is an Examiner's Statement of Reasons for Allowance:

Claims 1-3, 5-11, 13-21, and 23-28 are allowable over the prior art of record.

The examiner has found that the prior art of record does not teach or suggest or render obvious a method, a computer program product, and a messaging system of using an e-mail application running on a client computer for indicating a status of a sender of an e-mail message. The major difference in the independent claims not found in the prior art of record that displaying a status of the sender in the display, wherein displaying the status comprises providing a status indicator in the display for each of the plurality of e-mail messages, indicating at least one of the states selected from the group consisting of an on-line state, an off-line state, a do-not-disturb state, and an accepting real-time messaging state, providing a messaging initiator in the display to initiate real-time messaging with the sender, and determining the e-mail address of the sender and comparing the e-mail address of the sender with a list of messaging system contacts to determine the sender state of the status indicator as set forth in the specification and recited in the independent claims.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Additional References

3. The examiner as of general interest cites the following references.

- a. Liu et al, U.S. Patent No. 6,760,752.
- b. Alexander et al, U.S. Patent No. 6,640,230.
- c. Hickman et al, U.S. Patent No. 5,956,486.
- d. Harkins et al, U.S. Patent No. 5,689,642.

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bharat Barot whose telephone number is (703) 305-4092. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

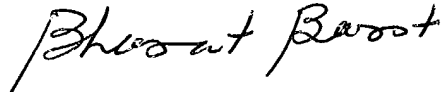
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, can be reached at (703) 308-6662. A central official fax number is (703) 872-9306.

Any inquiry of general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-3900.

Patent Examiner Bharat Barot

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August 16, 2004


BHARAT BAROT
PRIMARY EXAMINER